SPA 55/2004

Hon'ble P.C. Verma, J.

Hon'ble B.C. Kandpal, J.

Heard Sri M.C. Pant learned counsel for the appellant and Sri L.P. Naithani, learned Senior Advocate appearing on behalf of the respondent.

Learned Senior Advocate has submitted that the petitioner/appellant being a workman, the writ petition was not maintainable and the Industrial Dispute ought to have been approached in view of the law laid-down by the Apex Court in **Premier Automobiles Ltd. Vs. K. S. Wadeke and others reported** in **AIR 1975 Supreme Court 2238.** Therefore, the Special Appeal is also dismissed, as the writ petition was not maintainable. However, the Tribunal will not be influenced or guided by the judgment of the High Court. Delay will not be the reason I n making the reference.

(B.C.K.J.) **(P.C. V. J.)**

29-6-2006

ISB